

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7222

BILL NUMBER: SB 276

NOTE PREPARED: Jan 22, 2009

BILL AMENDED: Jan 22, 2009

SUBJECT: Habitual Offender Filing Deadline.

FIRST AUTHOR: Sen. Head

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: No Fiscal Impact

Summary of Legislation: (Amended) This bill permits amending an indictment or information to include a habitual offender charge at any time before trial if the amendment does not prejudice the substantial rights of the defendant. It makes technical corrections concerning procedures for amending an indictment or information.

Effective Date: July 1, 2009.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: This bill would not have any substantive effect on court proceedings.

Persons who are convicted of a felony and have been convicted of two prior unrelated felonies can be sentenced to an additional term of prison because they are considered "habitual offenders". During CY 2007, 316 offenders were committed to Department of Correction (DOC) who were determined to be habitual offenders.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Trial courts.

Information Sources: DOC Offender Information System.

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